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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/833,106	04/04/97	SMALL J	74892MSS

LM02/1006

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EXAMINER	
WHITE,M	

ART UNIT	PAPER NUMBER
2712	9

DATE MAILED: 10/06/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	Applicant(s)
08/833,106	Small
Examiner	**Group Art Unit**
Mitchell White	2712

☒ Responsive to communication(s) filed on *Sep 20, 1999* .

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *3* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) *1-8* is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-8* is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐approved ☐disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____ .

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____ .

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). ___ ___

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

Continued Prosecution Application

1. The request filed on 9/20/99 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 08/833,106 is acceptable and a CPA has been established. An action on the CPA follows.

The amendments, filed on 8/19/99, have been made of record.

Response to Arguments

2. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection

Claim Rejections - 35 U.S.C. § 103

3. ***The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:***

> ***(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.***

4. **Claims 1-3, and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al. (US 5,040,068) in view of Kumasaka et al. (US 4,952,951).**

Regarding claim 1, Parulski et al. discloses, in figure 5, a digital camera (col. 4, lines 38-42) which is used with printer module (176) which receives processed colors and predetermined printing characteristics (col. 8, lines 45-48); a CCD to capture images (col. 3, lines 38-41); a digital image processor (168) with a program memory (172) for further processing the image by performing transceiver processing such as data compression and format conversion; printer processing such as interpolation, color and toner scale correction; and electronic darkroom processing (col. 7, line 55 - col. 8, line 2). These printer processes provide compensation for the printer processes of the printer. Figure 5 does not explicitly illustrate that the image pickup unit includes an image processor for initially processing the image. However, the image pickup unit of figure 2 does illustrate the use of a signal processing section (84) which may be added for performing the initial processing such as color separation, white balance, gamma correction, and color filter interpolation (col. 5, lines 57-68). It was not explicitly stated that the signal processing section includes a program memory however it would have been obvious to include a memory in order to perform the many operations of the processor. Therefore, it would have been obvious to one of ordinary skill in the art to include the processor of figure 2 into the image pickup unit of figure 5 to initially process the image. Parulski et al. changes the printer processes of the printer, but does not explicitly state that the changes are made during the printing process. However, Kumasaka et al. discloses an electrophotographic recorder with printing capabilities which allow for resizing image and varying color during the printing process (col. 6, lines 6-20).

Therefore, it would have been obvious to perform the required changes to the printing process as taught by Kumasaka et al. to provide selectivity in acquiring a printed image.

Regarding claim **2**, Parulski et al. discloses, in figure 5, a digital image processor (168) which has a program memory (172) that performs the printer processing for the color correction, tone scale correction, and pixel correction for the printer (col. 8, lines 45-49).

Regarding claim **3**, Parulski et al. discloses a digital image processor (168) for further processing the image by performing transceiver processing such as data compression and format conversion; printer processing such as interpolation, color and toner scale correction; and electronic darkroom processing such as cropping and color and tone alteration (col. 7, line 55 - col. 8, line 2) and a signal processing section (84) which may be added for performing the initial processing such as color separation, white balance, gamma correction, and color filter interpolation (col. 5, lines 57-68).

Regarding claim **5**, Parulski et al. discloses, in figure 5, a digital camera (col. 4, lines 38-42) which is used with printer module (176) which receives processed colors and predetermined printing characteristics (col. 8, lines 45-48); a CCD to capture images (col. 3, lines 38-41); a digital image processor (168) with a program memory (172) for further processing the image by performing transceiver processing such as data compression and format conversion; printer processing such as interpolation, color and toner scale correction; and electronic darkroom processing (col. 7, line 55 - col. 8, line 2). These printer processes provide compensation for the printer processes of the printer. Figure 5 does not explicitly illustrate that the image pickup unit

includes an image processor for initially processing the image. However, the image pickup unit of figure 2 does illustrate the use of a signal processing section (84) which may be added for performing the initial processing such as color separation, white balance, gamma correction, and color filter interpolation (col. 5, lines 57-68). It was not explicitly stated that the signal processing section includes a program memory however it would have been obvious to include a memory in order to perform the many operations of the processor. Therefore, it would have been obvious to one of ordinary skill in the art to include the processor of figure 2 into the image pickup unit of figure 5 to initially process the image. Parulski et al. changes the printer processes of the printer, but does not explicitly state that the changes are made during the printing process. However, Kumasaka et al. discloses an electrophotographic recorder with printing capabilities which allow for resizing image and varying color during the printing process (col. 6, lines 6-20). Therefore, it would have been obvious to perform the required changes to the printing process as taught by Kumasaka et al. to provide selectivity in acquiring a printed image.

Claim **6** is considered substantively equivalent to claim 2.

Claim **7** is considered substantively equivalent to claim 3.

5. **Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al. (US 5,040,068) in view of Ichikawa (US 5,717,839) and Kumasaka et al. (US 4,952951).**

Regarding claim **4**, Parulski et al. discloses in figure 5, a digital camera (col. 4, lines 38-42) which is used with printer module (176) which receives processed colors and predetermined printing characteristics (col. 8, lines 45-48); a camera interface (140); a CCD to capture images (col. 3, lines 38-41); a digital image processor (168) with program memory (172) for further processing the image by performing transceiver processing such as data compression and format conversion; printer processing such as interpolation, color and toner scale correction; and electronic darkroom processing (col. 7, line 55 - col. 8, line 2). These printer processes provide compensation for the printer processes of the printer. Figure 5 does not explicitly illustrate that the image pickup unit includes an image processor for initially processing the image. However, the image pickup unit of figure 2 does illustrate the use of a signal processing section (84) which may be added for performing the initial processing such as color separation, white balance, gamma correction, and color filter interpolation (col. 5, lines 57-68). It was not explicitly stated that the processor include a program memory however it would have been obvious to include a memory in order to perform the many operations of each processor. Therefore, it would have been obvious to one of ordinary skill in the art to include the processor of figure 2 into the image pickup unit of figure 5 to initially process the image. The printer interface of printer module (176) transmits processed images to the printer (col. 8, lines 45-49) but does not receive process color or printing process parameters from the printer. However, Ichikawa discloses a camera/printer system that transmits processed images to the printer and receives process color information (col. 7, lines 11-25) and printing process information (col. 7, lines 11-18).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the Parulski et al. as taught by Ichikawa to provide selectivity in printers which may be used. Parulski et al. changes the printer processes of the printer, but neither Parulski et al. nor Ichikawa explicitly state that the changes are made during the printing process. However, Kumasaka et al. discloses an electrophotographic recorder with printing capabilities which allow for resizing image and varying color during the printing process (col. 6, lines 6-20). Therefore, it would have been obvious to perform the required changes to the printing process as taught by Kumasaka et al. to provide selectivity in acquiring a printed image.

Regarding claim **8**, Parulski et al. discloses in figure 5, a digital camera (col. 4, lines 38-42) which is used with printer module (176) which receives processed colors and predetermined printing characteristics (col. 8, lines 45-48); a camera interface (140); a CCD to capture images (col. 3, lines 38-41); a digital image processor (168) with program memory (172) for further processing the image by performing transceiver processing such as data compression and format conversion; printer processing such as interpolation, color and toner scale correction; and electronic darkroom processing (col. 7, line 55 - col. 8, line 2). These printer processes provide compensation for the printer processes of the printer. Figure 5 does not explicitly illustrate that the image pickup unit includes an image processor for initially processing the image. However, the image pickup unit of figure 2 does illustrate the use of a signal processing section (84) which may be added for performing the initial processing such as color separation, white balance, gamma correction, and color filter interpolation (col. 5, lines 57-68). It was not explicitly stated

that the processor include a program memory however it would have been obvious to include a memory in order to perform the many operations of each processor. Therefore, it would have been obvious to one of ordinary skill in the art to include the processor of figure 2 into the image pickup unit of figure 5 to initially process the image. The printer interface of printer module (176) transmits processed images to the printer (col. 8, lines 45-49) but does not receive process color or printing process parameters from the printer. However, Ichikawa discloses a camera/printer system that transmits processed images to the printer and receives process color information (col. 7, lines 11-25) and printing process information (col. 7, lines 11-18). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Parulski et al. as taught by Ichikawa to provide selectivity in printers which may be used. Parulski et al. changes the printer processes of the printer, but neither Parulski et al. nor Ichikawa explicitly state that the changes are made during the printing process. However, Kumasaka et al. discloses an electrophotographic recorder with printing capabilities which allow for resizing image and varying color during the printing process (col. 6, lines 6-20). Therefore, it would have been obvious to perform the required changes to the printing process as taught by Kumasaka et al. to provide selectivity in acquiring a printed image.

Conclusion

6. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-5399 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitchell White whose telephone number is (703) 305-8155. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber, can be reached on (703) 305-4929.

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

MLW

September 29, 1999

TUAN HO
PRIMARY EXAMINER